UNITED STATES OF AMERICA	DO NOT WRITE IN THIS SPACE	
NATIONAL LABOR RELATIONS BOARD	Case	Date filed
CHARGE AGAINST LABOR ORGANIZATION OR ITS AGENTS	28-CB-271324	1/13/2021
INSTRUCTIONS: File an original of this charge with the NLRB Regional D occurred or is occurring.		
LABOR ORGANIZATION OR ITS AGENTS AGA		
a. Name International Brotherhood of Teamsters Local 492	b. Union Representative of Melissa Malcom Business Agent	to Contact
c. Address 4269 Balloon Park Road NE, Albuquerque, NM 87109-5827	d. Tel. No. (505)344-1925	e.e. Cell No.
	f. Fax No.	g. e-Mail mmalcom@teamsters492.org
h. The above-named labor organization or its agents have engaged in and are 8(b), subsection(s) (1)(A) and (2) of the National Labor Relations Act, and the within the meaning of the Act, or are unfair practices affecting commerce within the meaning of the Act, or are unfair practices affecting commerce within the meaning of the Act, or are unfair practices affecting commerce within the meaning of the Act, or are unfair practices.	rese unfair labor practices ar	e unfair practices affecting commerce
2. Basis of the Charge (set forth a clear and concise statement of the facts con		
Within the past six months, the above-named labor organizati	on has restrained and	coerced employees in the
exercise of rights protected by Section 7 of the Act by operation		· •
	ng a mining man in a ma	mer that was arbitrary,
discriminatory or in bad faith.		
Within the past six months, the above-named labor organizati	-	
Amazon Prime (Outer Range Production) to discharge (b) (6), (b) (7)(C) for reasons other	er than the failure to tender
uniformly required initiation fees and periodic dues. By the abo	ove and other acts, the	above-named labor
organization has interfered with, restrained, and coerced emp		
of the National Labor Relations Act.	loyees at the exercise	or their rights under cooler, /
Of the National Labor Relations Act.		
	200	

Name of Employer Amazon Prime (Outer Range Production)	4a. Tel. No. (505)314-6165	4b. Cell No. (505)314-6165
,	4c. Fax No.	4d. e-Mail
5. Location of Plant involved (street, city, state, and ZIP code)	6. Employer representa	tive to contact
9201 Pan American Fwy NE, Albuquerque, NM 8	7113 Cody Frost, Capt	ain
	Principal product or service	Number of Workers employed
Production Company Fi	ilm Productions	50
10. Full name of party filing charge (b) (6), (b) (7)(C)	11a. Tel. No.	11b. Cell No. (b) (6), (b) (7)(C)
	11c. Fax No.	11 <u>d e-Mail</u> (b) (6), (b) (7)(C)
11. Address of party filing charge (street, city, state, and ZIP cod	le)	
(b) (6), (b) (7)(C)		
(5) (6), (5) (1)(6)	2. DECLARATION	
I declare that I have read the above charge and that t	he statements therein are true to the b	est of my knowledge and belief.
		Tel No.
$_{Bys}$ (b) (6), (b) (7)(C)	(b) (6), (b) (7)(C) an Individual	
(signature of representative or person making charge)	Print/type name and title or office, if an	y Cell No. (b) (6), (b) (7)(C)
Address:	Date:	Fax No.
(b) (6), (b) (7)(C)	01/13/2021	e-Mail (b) (6), (b) (7)(C)

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)
PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seg. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.



REGION 28 2600 North Central Avenue -Suite 1400 Phoenix, AZ 85004-3099 Agency Website: www.nlrb.gov Telephone: (602)640-2160

Download NLRB Mobile App

Telephone: (602)640-2160 NLRB Fax: (602)640-2178 Mobile Ap

January 14, 2021

International Brotherhood of Teamsters Local 492 4269 Balloon Park Road NE Albuquerque, NM 87109-5827

Re: International Brotherhood of Teamsters

Local 492 (Amazon Prime (Outer Range Production)) Case 28-CB-271324

Ladies and Gentlemen:

Enclosed is a copy of a charge that has been filed in this case. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

<u>Investigator</u>: This charge is being investigated by Field Examiner Olga L. Bell whose telephone number is (602) 416-4758. If this Board agent is not available, you may contact Deputy Regional Attorney David T. Garza whose telephone number is (505) 313-7217.

<u>Right to Representation</u>: You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing Form NLRB-4701, Notice of Appearance. This form is available on our website, <u>www.nlrb.gov</u>, or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

<u>Presentation of Your Evidence</u>: We seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit a complete written account of the facts and a statement of your position with respect to the allegations set forth in the charge as soon as possible. If the Board agent later asks for more evidence, I strongly urge you or your

International Brotherhood of Teamsters Local 492 (Amazon Prime (Outer Range Production)) Case 28-CB-271324

representative to cooperate fully by promptly presenting all evidence relevant to the investigation. In this way, the case can be fully investigated more quickly.

Full and complete cooperation includes providing witnesses to give sworn affidavits to a Board agent, and providing all relevant documentary evidence requested by the Board agent. Sending us your written account of the facts and a statement of your position is not enough to be considered full and complete cooperation. A refusal to fully cooperate during the investigation might cause a case to be litigated unnecessarily.

We will not honor requests to limit our use of position statements or evidence. Specifically, any material you submit may be introduced as evidence at a hearing before an administrative law judge regardless of claims of confidentiality. However, certain evidence produced at a hearing may be protected from public disclosure by demonstrated claims of confidentiality.

Further, the Freedom of Information Act may require that we disclose position statements or evidence in closed cases upon request, unless an exemption applies, such as those protecting confidential financial information or personal privacy interests.

<u>Preservation of all Potential Evidence:</u> Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

<u>Prohibition on Recording Affidavit Interviews:</u> It is the policy of the General Counsel to prohibit affiants from recording the interview conducted by Board agents when subscribing Agency affidavits. Such recordings may impede the Agency's ability to safeguard the confidentiality of the affidavit itself, protect the privacy of the affiant and potentially compromise the integrity of the Region's investigation.

<u>Correspondence:</u> All documents submitted to the Region regarding your case MUST be filed through the Agency's website, <u>www.nlrb.gov</u>. This includes all formal pleadings, briefs, as well as affidavits, documentary evidence, and position statements. The Agency requests all evidence submitted electronically to be in the form it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format).

If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge. If you cannot e-file

International Brotherhood of Teamsters Local 492 (Amazon Prime (Outer Range Production)) Case 28-CB-271324

your documents, you must provide a statement explaining why you do not have access to the means for filing electronically or why filing electronically would impose an undue burden.

In addition, this Region will be issuing case-related correspondence and documents, including complaints, compliance specifications, dismissal letters, deferral letters, and withdrawal letters, electronically to the email address you provide. Please ensure that you receive important case-related correspondence, please ensure that the Board Agent assigned to your case has your preferred email address. These steps will ensure that you receive correspondence faster and at a significantly lower cost to the taxpayer. If there is some reason you are unable to receive correspondence via email, please contact the agent assigned to your case to discuss the circumstances that prevent you from using email.

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website, www.nlrb.gov or from an NLRB office upon your request. NLRB Form 4541 offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

Cornele A. Overstreet Regional Director

about Morentus

Enclosure: Copy of Charge.

Copy of charge only sent to:

Bradley T. Raymond, General Counsel International Brotherhood of Teamsters 25 Louisiana Avenue NW Washington, DC 20001-2198

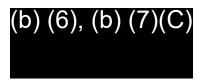
CAO/OLB/tmr



REGION 28 2600 North Central Avenue -Suite 1400 Phoenix, AZ 85004-3099 Agency Website: www.nlrb.gov Telephone: (602)640-2160 Fax: (602)640-2178



January 14, 2021



Re: International Brotherhood of Teamsters Local 492 (Amazon Prime (Outer Range Production))

Case 28-CB-271324

Dear (b) (6), (b) (7)(C)

The charge that you filed in this case on January 13, 2021 has been docketed as case number 28-CB-271324. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

<u>Investigator</u>: This charge is being investigated by Field Examiner Olga L. Bell whose telephone number is (602) 416-4758. If this Board agent is not available, you may contact Deputy Regional Attorney David T. Garza whose telephone number is (505) 313-7217.

<u>Right to Representation</u>: You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing *Form NLRB-4701*, *Notice of Appearance*. This form is available on our website, <u>www.nlrb.gov</u>, or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

<u>Presentation of Your Evidence</u>: As the party who filed the charge in this case, it is your responsibility to meet with the Board agent to provide a sworn affidavit, or provide other witnesses to provide sworn affidavits, and to provide relevant documents within your possession. Because we seek to resolve labor disputes promptly, you should be ready to promptly present

(Outer Range Production)) Case 28-CB-271324

your affidavit(s) and other evidence. If you have not yet scheduled a date and time for the Board agent to take your affidavit, please contact the Board agent to schedule the affidavit(s). If you fail to cooperate in promptly presenting your evidence, your charge may be dismissed without investigation.

- 2 -

Preservation of all Potential Evidence: Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

Prohibition on Recording Affidavit Interviews: It is the policy of the General Counsel to prohibit affiants from recording the interview conducted by Board agents when subscribing Agency affidavits. Such recordings may impede the Agency's ability to safeguard the confidentiality of the affidavit itself, protect the privacy of the affiant and potentially compromise the integrity of the Region's investigation.

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If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge. If you cannot e-file your documents, you must provide a statement explaining why you do not have access to the means for filing electronically or why filing electronically would impose an undue burden.

In addition, this Region will be issuing case-related correspondence and documents, including complaints, compliance specifications, dismissal letters, deferral letters, and withdrawal letters, electronically to the email address you provide. Please ensure that you receive important case-related correspondence, please ensure that the Board Agent assigned to your case has your preferred email address. These steps will ensure that you receive correspondence faster and at a significantly lower cost to the taxpayer. If there is some reason you are unable to receive correspondence via email, please contact the agent assigned to your case to discuss the circumstances that prevent you from using email.

Local 492 (Amazon Prime (Outer Range Production))
Case 28-CB-271324

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website, www.nlrb.gov or from an NLRB office upon your request. NLRB Form 4541, Investigative Procedures offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

Cornele A. Overstreet Regional Director

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Enclosure: Copy of charge.

CAO/OLB/tmr



REGION 28 2600 North Central Avenue -Suite 1400 Phoenix, AZ 85004-3099 Agency Website: www.nlrb.gov Telephone: (602)640-2160 Fax: (602)640-2178 Download NLRB Mobile App

January 14, 2021

Amazon Prime (Outer Range Production) 9201 Pan American Freeway NE Albuquerque, NM 87113

Re: International Brotherhood of Teamsters

Local 492 (Amazon Prime (Outer Range Production))
Case 28-CB-271324

Ladies and Gentlemen:

Enclosed is a copy of a charge that has been filed in this case. Although this charge is not filed against you, it is necessary for us to obtain information from you to determine whether we have jurisdiction over this case. In the future we may also need to obtain evidence from you concerning the merits of the charge. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

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<u>Presentation of Your Evidence</u>: We seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit the enclosed Commerce Questionnaire to

International Brotherhood of Teamsters Local 492 (Amazon Prime (Outer Range Production)) Case 28-CB-271324

enable us to determine whether the NLRB has jurisdiction over this dispute. If you recently submitted this information in another case, or if you need assistance completing the form, please contact the Board agent.

If, during the investigation of this matter, the Board agent asks for evidence, I strongly urge you or your representative to promptly present all evidence relevant to the investigation. In this way, the case may be fully investigated more quickly.

We will not honor requests to limit our use of position statements or evidence. Specifically, any material you submit may be introduced as evidence at a hearing before an administrative law judge regardless of claims of confidentiality. However, certain evidence produced at a hearing may be protected from public disclosure by demonstrated claims of confidentiality.

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International Brotherhood of Teamsters Local 492 (Amazon Prime (Outer Range Production)) Case 28-CB-271324

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We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

Cornele A. Overstreet Regional Director

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Enclosures

- 1. Copy of Charge.
- 2. Commerce Questionnaire

CAO/OLB/tmr

	NATIONA	AL LABOR RELATIONS	BOARD			
QL	ESTIONNAIRE	ON COMMERCE IN	IFORMATION			
Please read carefully, answer all applicable ite	ms, and return to the NL	RB Office. If additional spa	ce is required, please add a page			
CASE NAME	г	1 400		CASE NUMBER		
International Brotherhood of		1 492		28-CB-271324		
(Amazon Prime (Outer Range 1. EXACT LEGAL TITLE OF ENTITY)						
1. EXACT LEGAL TITLE OF ENTITY (As med with State an	d/or stated in legal docum	ents forming entity)			
2. TYPE OF ENTITY						
[] CORPORATION [] LLC [] I	LP [] PARTNER	RSHIP [] SOLE PROF	PRIETORSHIP [] OTHER	R (Specify)		
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OR FORMATION	B. NAME, ADDRES	SS, AND RELATIONSHIP	(e.g. parent, subsidiary) OF AI	LL RELATED ENTITIES		
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	-					
5. IF A SOLE PROPRIETORSHIP, FUI	L NAME AND ADDI	RESS OF PROPRIETOR				
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6. BRIEFLY DESCRIBE THE NATURE	OF YOUR OPERAT	TIONS (Products handled of	or manufactured, or nature of se	ervices performed).		
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7. A. TRENCHAL LOCATION.	**	b. branch Locatio	110.			
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8. NUMBER OF PEOPLE PRESENTLY						
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\$,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	rectly to customers outs.	ide your State? If no, indica	te actual value.		
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PRIVACY ACT STATEMENT
Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing representation and/or unfair labor practice proceedings and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary. However, failure to supply the information may cause the NLRB to refuse to process any further a representation or unfair labor practice case, or may cause the NLRB to issue you a subpoena and seek enforcement of the subpoena in federal court.

NATIONAL LABOR RELATIONS BOARD

NOTICE OF APPEARANCE

International Brotherhood of Teamsters Local 492	
and	CASE 28-CB-271324
(b) (6), (b) (7)(C)	20 00 21 1021
-	
REGIONAL DIRECTOR EXECUTIVE SECRETARY NATIONAL LABOR RELATIONS BOARD Washington, DC 20570	GENERAL COUNSEL NATIONAL LABOR RELATIONS BOARD Washington, DC 20570
THE UNDERSIGNED HEREBY ENTERS APPEARANCE AS REPRESENTA	TIVE OF
RPE Productions	
IN THE ABOVE-CAPTIONED MATTER.	
CHECK THE APPROPRIATE BOX(ES) BELOW: REPRESENTATIVE IS AN ATTORNEY IF REPRESENTATIVE IS AN ATTORNEY, IN ORDER TO ENSURE CERTAIN DOCUMENTS OR CORRESPONDENCE FROM THE AGENCY IS BOX MUST BE CHECKED. IF THIS BOX IS NOT CHECKED, THE PARTY DOCUMENTS SUCH AS CHARGES, PETITIONS AND FORMAL DOCUME	N ADDITION TO THOSE DESCRIBED BELOW, THIS WILL RECEIVE ONLY COPIES OF CERTAIN
CASEHANDLING MANUAL.	NTS AS DESCRIBED IN SEC. 11842.3 OF THE
(BERRESENT ATHE INFO	PM ATIONS
(REPRESENTATIVE INFO	CHAITON
NAME: Mark A. Wasserman	
MAILING ADDRESS: Mitchell Silberberg & Knupp LLP, 2049 Ce 90067	entury Park East, 18th Floor, Los Angeles, CA
E-MAIL ADDRESS: maw@msk.com	
OFFICE TELEPHONE NUMBER: (310) 312-3174	
CELL PHONE NUMBER: (310) 251-1636	FAX: (310) 231-8374
SIGNATURE: (Please sign in ink.)	
DATE:	

¹ IF CASE IS PENDING IN WASHINGTON AND NOTICE OF APPEARANCE IS SENT TO THE GENERAL COUNSEL OR THE EXECUTIVE SECRETARY, A COPY SHOULD BE SENT TO THE REGIONAL DIRECTOR OF THE REGION IN WHICH THE CASE WAS FILED SO THAT THOSE RECORDS WILL REFLECT THE APPEARANCE.

UNITED STATES OF AMERICA	DO NO	T WRITE IN THIS SPACE
NATIONAL LABOR RELATIONS BOARD	Case	Date filed
FIRST AMENDED CHARGE AGAINST LABOR ORGANIZATION OR ITS AGENTS	28-CB-271324	April 8, 2021
INSTRUCTIONS: File an original of this charge with the NLRB Regio occurred or is occurring.	onal Director of the region in v	which the alleged unfair labor practice
1. LABOR ORGANIZATION OR ITS AGENT	S AGAINST WHICH CHARGE IS	BROUGHT
a. Name International Brotherhood of Teamsters Local 492	b. Union Representati Melissa Malcom Business Agent	ì
c. Address 4269 Balloon Park Road NE Albuquerque, NM 87109-5827	d. Tel. No. (505) 344-1925 f. Fax No.	e.e. Cell No. (505) 379-6289 g. e-Mail mmalcom@teamsters492.org
 h. The above-named labor organization or its agents have engaged in a 8(b) subsections (1)(A) and (2) of the National Labor Relations Act, a within the meaning of the Act, or are unfair practices affecting comme 2. Basis of the Charge (set forth a clear and concise statement of the fact 	nd these unfair labor practices a ree within the meaning of the A	are unfair practices affecting commerce act and the Postal Reorganization Act.

Within the past six months, the above-named labor organization has restrained and coerced employees in the exercise of rights protected by Section 7 of the Act by: 1) operating a hiring hall in a manner that was arbitrary, discriminatory or in bad faith; 2) attempting to cause and/or causing RPE Productions LLC (the Employer) to discharge (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) for reasons other than the failure to tender uniformly required initiation fees and periodic dues; and, 3) threatening employees with loss of employment because they were not union members.

By the above and other acts, the above-named labor organization has interfered with, restrained, and coerced employees in the exercise of their rights under Section 7 of the National Labor Relations Act.

			T-:::
Name of Employer		4a. Tel. No.	4b. Cell No.
RPE Productions LLC		(604) 904-	(505) 314-6165
		5615	
		4c. Fax No.	4d. e-Mail
14 TAN WARM 94			paddy@reunionpacific.com
5. Location of Plant involved (street, city, state, and ZIP of	ode)	6. Employer represent	tative to contact
9201 Pan American Fwy NE, Albuquerque N 7. Type of Establishment (factory, mine, whole saler)	IM 87113	Paddy Bickerto	n, President
7. Type of Establishment (factory, mine, wholesaler)	8. Principal produc	ct or service	Number of Workers employed
Film Production Company	Film Producti	ions	50
10. Full name of party filing charge		11a. Tel. No.	11b. Cell No.
(b) (6), (b) (7)(C)			(b) (6), (b) (7)(C)
		11c. Fax No.	11d e-Mail
		110.142.10.	\bot (b) (6), (b) (7)(C)
11. Address of party filing charge (street, city, state, and Z	IP code)		$(\mathbf{D})(\mathbf{D}), (\mathbf{D})(\mathbf{I})(\mathbf{D})$
11. Address of party filing charge (street, city, state, and Zi	IP code)	•	<u> </u>
11. Address of party filing charge (street, city, state, and Zi (b) (6), (b) (7)(C)	12. DECLARA	TION	
(b) (6), (b) (7)(C)	12. DECLARA		
	12. DECLARA		
(b) (6), (b) (7)(C)	12. DECLARA		best of my knowledge and belief.
(b) (6), (b) (7)(C) I declare that I have read the above charge and (b) (6), (b) (7)(C)	12. DECLARA	therein are true to the	best of my knowledge and belief.
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WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001) PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.



REGION 28 2600 North Central Avenue Suite 1400 Phoenix, AZ 85004-3099

Agency Website: www.nlrb.gov Telephone: (602)640-2160 Fax: (602)640-2178 Download NLRB Mobile App

April 12, 2021

International Brotherhood of Teamsters Local 492 4269 Balloon Park Road NE Albuquerque, NM 87109-5827

Re: International Brotherhood of Teamsters

Local 492 (RPE Productions LLC)

Case 28-CB-271324

Ladies and Gentlemen:

Enclosed is a copy of the first amended charge that has been filed in this case.

<u>Investigator</u>: This charge is being investigated by Field Examiner Olga L. Bell whose telephone number is (602)416-4758. If the agent is not available, you may contact Deputy Regional Attorney David T. Garza whose telephone number is (505)313-7217.

<u>Presentation of Your Evidence</u>: As you know, we seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit a complete written account of the facts and a statement of your position with respect to the allegations in the first amended charge as soon as possible. If the Board agent later asks for more evidence, I strongly urge you or your representative to cooperate fully by promptly presenting all evidence relevant to the investigation. In this way, the case can be fully investigated more quickly.

<u>Preservation of all Potential Evidence:</u> Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

<u>Prohibition on Recording Affidavit Interviews:</u> It is the policy of the General Counsel to prohibit affiants from recording the interview conducted by Board agents when subscribing Agency affidavits. Such recordings may impede the Agency's ability to safeguard the confidentiality of the affidavit itself, protect the privacy of the affiant and potentially compromise the integrity of the Region's investigation.

<u>Procedures:</u> Pursuant to Section 102.5 of the Board's Rules and Regulations, parties must submit all documentary evidence, including statements of position, exhibits, sworn

statements, and/or other evidence, by electronically submitting (E-Filing) them through the Agency's web site (www.nlrb.gov). You must e-file all documents electronically or provide a written statement explaining why electronic submission is not possible or feasible. Failure to comply with Section 102.5 will result in rejection of your submission. The Region will make its determination on the merits solely based on the evidence properly submitted. All evidence submitted electronically should be in the form in which it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format). If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge.

If the Agency does not issue a formal complaint in this matter, parties will be notified of the Regional Director's decision by email. Please ensure that the agent handling your case has your current email address.

Very truly yours,

Cornele A. Overstreet Regional Director

andelle Morental

Enclosure: Copy of first amended charge

Copy of charge only sent to:

Bradley T. Raymond, General Counsel International Brotherhood of Teamsters 25 Louisiana Avenue NW Washington, DC 20001-2198

CAO:OLB:mhz



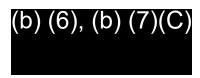
REGION 28 2600 North Central Avenue Suite 1400 Phoenix, AZ 85004-3099

Agency Website: www.nlrb.gov Telephone: (602)640-2160 Fax: (602)640-2178

April 12, 2021



Download NLRB Mobile App



Re: International Brotherhood of Teamsters

Local 492 (RPE Productions LLC)

Case 28-CB-271324



We have docketed the first amended charge that you filed in this case.

<u>Investigator</u>: This charge is being investigated by Field Examiner Olga L. Bell whose telephone number is (602)416-4758. If the agent is not available, you may contact Deputy Regional Attorney David T. Garza whose telephone number is (505)313-7217.

<u>Presentation of Your Evidence</u>: As the party who filed the charge in this case, it is your responsibility to meet with the Board agent to provide a sworn affidavit, or provide other witnesses to provide sworn affidavits, and to provide relevant documents within your possession. If you have additional evidence regarding the allegations in the first amended charge and you have not yet scheduled a date and time for the Board agent to obtain that evidence, please contact the Board agent to arrange to present that evidence. If you fail to cooperate in promptly presenting your evidence, your charge may be dismissed.

<u>Preservation of all Potential Evidence:</u> Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

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Procedures: Pursuant to Section 102.5 of the Board's Rules and Regulations, parties must submit all documentary evidence, including statements of position, exhibits, sworn statements, and/or other evidence, by electronically submitting (E-Filing) them through the Agency's web site (www.nlrb.gov). You must e-file all documents electronically or provide a written statement explaining why electronic submission is not possible or feasible. Failure to comply with Section 102.5 will result in rejection of your submission. The Region will make its determination on the merits solely based on the evidence properly submitted. All evidence submitted electronically should be in the form in which it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format). If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge.

If the Agency does not issue a formal complaint in this matter, parties will be notified of the Regional Director's decision by email. Please ensure that the agent handling your case has your current email address.

Very truly yours,

Cornele A. Overstreet Regional Director

andell Country

CAO:OLB:mhz



REGION 28 2600 North Central Avenue Suite 1400 Phoenix, AZ 85004-3099

Agency Website: www.nlrb.gov Telephone: (602)640-2160 Fax: (602)640-2178 Download NLRB Mobile App

April 12, 2021

RPE Productions LLC 9201 Pan American Fwy NE Albuquerque, NM 87113

Re: International Brotherhood of Teamsters

Local 492 (RPE Productions LLC)

Case 28-CB-271324

Ladies and Gentlemen:

Enclosed is a copy of the first amended charge that has been filed in this case.

<u>Investigator</u>: This charge is being investigated by Field Examiner Olga L. Bell whose telephone number is (602)416-4758. If the Board agent is not available, you may contact Deputy Regional Attorney David T. Garza whose telephone number is (505)313-7217.

<u>Presentation of Your Evidence</u>: As you know, we seek prompt resolutions of labor disputes. Therefore, if the Board agent asks you for evidence with respect to the allegations in the first amended charge, I urge you or your representative to cooperate fully by promptly presenting all evidence relevant to the investigation. In this way, the case can be fully investigated more quickly.

<u>Preservation of all Potential Evidence:</u> Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

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If the Agency does not issue a formal complaint in this matter, parties will be notified of the Regional Director's decision by email. Please ensure that the agent handling your case has your current email address.

Very truly yours,

Cornele A. Overstreet Regional Director

andell Country

Enclosure: Copy of first amended charge

cc: Mark A. Wasserman, Attorney at Law Mitchell Silberberg & Knupp LLP 2049 Century Park East, 18th Floor Los Angeles, CA 90067

CAO:OLB:mhz

UNITED STATES OF AMERICA	DO NOT	WRITE IN THIS SPACE
NATIONAL LABOR RELATIONS BOARD	Case	Date filed
CHARGE AGAINST LABOR ORGANIZATION OR ITS	28-CB-271524	1/19/2021
INSTRUCTIONS: File an original of this charge with the NLRS Regions		
occurred or is occurring. 1. LABOR ORGANIZATION OR ITS AGENTS	AGAINST WHICH CHARGE IS	BROUGHT
a. Name International Brotherhood of Teamsters Local 492	b. Union Representative Melissa Malcom Business Agent	e to Contact
c. Address 4269 Balloon Park Road NE	d. Tel. No. (505)344-1925	e.e. Cell No.
Albuquerque, NM 87109-5827	f. Fax No.	g. e-Mail mmalcom@teamsters492.org
 n. The above-named labor organization or its agents have engaged in and 8(b), subsection(s) (1)(A) and (2) of the National Liabor Relations Act, an within the meaning of the Act, or are unfair practices affecting commerce. 2. Basis of the Charge (set forth a clear and concise statement of the facts. Within the past six months, the above-named labor organize exercise of rights protected by Section 7 of the Act by oper discriminatory or in bad faith. Within the past six months, the above-named labor organize Productions (Outer Range Production) to discharge (b) (6), (c) 	within the meaning of the Act constituting the alleged unfair ration has restrained and ating a hiring hall in a material and the cation has attempted to the cation has a	and the Postal Reorganization Act. Isbor practices) I coerced employees in the anner that was arbitrary, cause and/or has caused RPE in than the failure to tender
uniformly required initiation fees and periodic dues. By the organization has interfered with, restrained, and coerced e of the National Labor Relations Act.	above and other acts, the	ne above-named labor

Name of Employer RPE Productions (Outer Range Production)	4a. Tel. No.	4b. Cell No. 505-502-3445
,	4c. Fax No.	4d. e-Mali jadetranspo@gmail.com
5. Location of Plant Involved (street, city, state, and ZIP code)	6. Employer representative	e to contact
9201 Pan American Fwy NE, Albuquerque, NM 8	37113 Jay Peterson Tran	sportation Coordinator
7. Type of Establishment (factory, mine, wholesaler) 8.	Principal product or service	Number of Workers employed
	Film Production	50
10. Full name of party filing charge	11a. Tel. No.	11b. Cell No.
(b) (6), (b) (7)(C)	(b) (6), (b) (7)(C)	(b) (6), (b) (7)(C)
	11c. Fax No.	11d e-Mail (b) (6), (b) (7)(C)
11. Address of party filing charge (street, city, state, and ZIP co	ode)	
(b) (6), (b) (7)(C)	* ·	
	12. DECLARATION	
I declare that I have read the above charge and that	t the statements therein are true to the be	st of my knowledge and belief.
		Tel No.
(b) (6), (b) (7)(C)		
By:	(b) (6), (b) (7)(C) An individual	(b) (6), (b) (7)(C)
(sign or person making charge)	Print/type name and title or office, if any	Cell No. (b) (6), (b) (7)(C)
Address:	Date:	Fax No.
(b) (6), (b) (7)(C)	1/1-/21	
	1/15/21	e-Mail (b) (6), (b) (7)(C)

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)

PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seg. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Rog. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.



REGION 28 2600 North Central Avenue -Suite 1400 Phoenix, AZ 85004-3099 Agency Website: www.nlrb.gov Telephone: (602)640-2160 Fax: (602)640-2178

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January 20, 2021

International Brotherhood of Teamsters Local 492 4269 Balloon Park Road NE Albuquerque, NM 87109-5827

Re: International Brotherhood

of Teamsters Local 492 (RPE Productions

[Outer Range Productions])

Case 28-CB-271524

Ladies and Gentlemen:

Enclosed is a copy of a charge that has been filed in this case. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

<u>Investigator</u>: This charge is being investigated by Field Examiner Olga L. Bell whose telephone number is (602) 416-4758. If this Board agent is not available, you may contact Deputy Regional Attorney David T. Garza whose telephone number is (505) 313-7217.

<u>Right to Representation</u>: You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing Form NLRB-4701, Notice of Appearance. This form is available on our website, <u>www.nlrb.gov</u>, or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

<u>Presentation of Your Evidence</u>: We seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit a complete written account of the facts and a statement of your position with respect to the allegations set forth in the charge as soon as possible. If the Board agent later asks for more evidence, I strongly urge you or your

International Brotherhood of Teamsters Local 492 (RPE Productions [Outer Range Productions]) Case 28-CB-271524

representative to cooperate fully by promptly presenting all evidence relevant to the investigation. In this way, the case can be fully investigated more quickly.

Full and complete cooperation includes providing witnesses to give sworn affidavits to a Board agent, and providing all relevant documentary evidence requested by the Board agent. Sending us your written account of the facts and a statement of your position is not enough to be considered full and complete cooperation. A refusal to fully cooperate during the investigation might cause a case to be litigated unnecessarily.

We will not honor requests to limit our use of position statements or evidence. Specifically, any material you submit may be introduced as evidence at a hearing before an administrative law judge regardless of claims of confidentiality. However, certain evidence produced at a hearing may be protected from public disclosure by demonstrated claims of confidentiality.

Further, the Freedom of Information Act may require that we disclose position statements or evidence in closed cases upon request, unless an exemption applies, such as those protecting confidential financial information or personal privacy interests.

<u>Preservation of all Potential Evidence:</u> Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

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<u>Correspondence</u>: All documents submitted to the Region regarding your case MUST be filed through the Agency's website, <u>www.nlrb.gov</u>. This includes all formal pleadings, briefs, as well as affidavits, documentary evidence, and position statements. The Agency requests all evidence submitted electronically to be in the form it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format).

International Brotherhood of Teamsters Local 492 (RPE Productions [Outer Range Productions]) Case 28-CB-271524

If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge. If you cannot e-file your documents, you must provide a statement explaining why you do not have access to the means for filing electronically or why filing electronically would impose an undue burden.

In addition, this Region will be issuing case-related correspondence and documents, including complaints, compliance specifications, dismissal letters, deferral letters, and withdrawal letters, electronically to the email address you provide. Please ensure that you receive important case-related correspondence, please ensure that the Board Agent assigned to your case has your preferred email address. These steps will ensure that you receive correspondence faster and at a significantly lower cost to the taxpayer. If there is some reason you are unable to receive correspondence via email, please contact the agent assigned to your case to discuss the circumstances that prevent you from using email.

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website, www.nlrb.gov or from an NLRB office upon your request. NLRB Form 4541 offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

Cornele A. Overstreet Regional Director

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Enclosure: Copy of Charge.

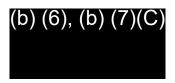
CAO/OLB/tmr



REGION 28 2600 North Central Avenue -Suite 1400 Phoenix, AZ 85004-3099 Agency Website: www.nlrb.gov Telephone: (602)640-2160 Fax: (602)640-2178

Download NLRB Mobile App

January 20, 2021



Re: International Brotherhood

of Teamsters Local 492 (RPE Productions

[Outer Range Productions])

Case 28-CB-271524

Dear (b) (6), (b) (7)(C)

The charge that you filed in this case on January 19, 2021 has been docketed as case number 28-CB-271524. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

<u>Investigator</u>: This charge is being investigated by Field Examiner Olga L. Bell whose telephone number is (602) 416-4758. If this Board agent is not available, you may contact Deputy Regional Attorney David T. Garza whose telephone number is (505) 313-7217.

<u>Right to Representation</u>: You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing *Form NLRB-4701*, *Notice of Appearance*. This form is available on our website, <u>www.nlrb.gov</u>, or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

<u>Presentation of Your Evidence</u>: As the party who filed the charge in this case, it is your responsibility to meet with the Board agent to provide a sworn affidavit, or provide other witnesses to provide sworn affidavits, and to provide relevant documents within your possession. Because we seek to resolve labor disputes promptly, you should be ready to promptly present

- 2 -

your affidavit(s) and other evidence. If you have not yet scheduled a date and time for the Board agent to take your affidavit, please contact the Board agent to schedule the affidavit(s). If you fail to cooperate in promptly presenting your evidence, your charge may be dismissed without investigation.

<u>Preservation of all Potential Evidence:</u> Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

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If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge. If you cannot e-file your documents, you must provide a statement explaining why you do not have access to the means for filing electronically or why filing electronically would impose an undue burden.

In addition, this Region will be issuing case-related correspondence and documents, including complaints, compliance specifications, dismissal letters, deferral letters, and withdrawal letters, electronically to the email address you provide. Please ensure that you receive important case-related correspondence, please ensure that the Board Agent assigned to your case has your preferred email address. These steps will ensure that you receive correspondence faster and at a significantly lower cost to the taxpayer. If there is some reason you are unable to receive correspondence via email, please contact the agent assigned to your case to discuss the circumstances that prevent you from using email.

[Outer Range Productions]) Case 28-CB-271524

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website, www.nlrb.gov or from an NLRB office upon your request. NLRB Form 4541, Investigative Procedures offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

Cornele A. Overstreet Regional Director

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Enclosure: Copy of charge.

CAO/OLB/tmr



REGION 28 2600 North Central Avenue -Suite 1400 Phoenix, AZ 85004-3099 Agency Website: www.nlrb.gov Telephone: (602)640-2160 Fax: (602)640-2178 Download NLRB Mobile App

January 20, 2021

RPE Productions (Outer Range Production) 9201 Pan American Fwy. NE Albuquerque, NM 87113

Re: International Brotherhood

of Teamsters Local 492 (RPE Productions

[Outer Range Productions]) Case 28-CB-271524

Ladies and Gentlemen:

Enclosed is a copy of a charge that has been filed in this case. Although this charge is not filed against you, it is necessary for us to obtain information from you to determine whether we have jurisdiction over this case. In the future we may also need to obtain evidence from you concerning the merits of the charge. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

<u>Investigator</u>: This charge is being investigated by Field Examiner Olga L. Bell whose telephone number is (602) 416-4758. If this Board agent is not available, you may contact Deputy Regional Attorney David T. Garza whose telephone number is (505) 313-7217.

Right to Representation: You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing *Form NLRB-4701*, *Notice of Appearance*. This form is available on our website, www.nlrb.gov, or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

<u>Presentation of Your Evidence</u>: We seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit the enclosed Commerce Questionnaire to

- 2 -

enable us to determine whether the NLRB has jurisdiction over this dispute. If you recently submitted this information in another case, or if you need assistance completing the form, please contact the Board agent.

If, during the investigation of this matter, the Board agent asks for evidence, I strongly urge you or your representative to promptly present all evidence relevant to the investigation. In this way, the case may be fully investigated more quickly.

We will not honor requests to limit our use of position statements or evidence. Specifically, any material you submit may be introduced as evidence at a hearing before an administrative law judge regardless of claims of confidentiality. However, certain evidence produced at a hearing may be protected from public disclosure by demonstrated claims of confidentiality.

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International Brotherhood of Teamsters Local 492 (RPE Productions [Outer Range Productions]) Case 28-CB-271524

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We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

Cornele A. Overstreet Regional Director

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Enclosures

- 1. Copy of Charge.
- 2. Commerce Questionnaire

CAO/OLB/tmr

FORM NLRB-5081	NATIONAL LABOR	RELATIONS BOARD			
(3-11)	OUESTIONNAIDE ON CO	DMMERCE INFORMATION			
Places read carefully answer all annicable items an		nal space is required, please add a page and identify item	number		
CASE NAME International Brotherhoo	U 17		CASE NUMBER		
(RPE Productions [Outer Range Pro			28-CB-271524		
1. EXACT LEGAL TITLE OF ENTITY (As file		documents forming entity)	20 CB 271321		
I. Elliet Ebolik III Ebolik III (III III	tu ma saite and or stated in regar	documents for ming entity)			
2. TYPE OF ENTITY					
[] CORPORATION [] LLC [] L	LP [] PARTNERSHIP	[] SOLE PROPRIETORSHIP [] OTHER	R (Specify)		
3. IF A CORPORATION or LLC	D MALE ADDRESS AND DEL	ATTOMOSTIC AND A SECOND AND A SECOND ASSESSMENT AND A SECOND ASSESSMENT AND A SECOND ASSESSMENT AND A SECOND ASSESSMENT A			
A. STATE OF INCORPORATION	B NAME, ADDRESS, AND REL	ATIONSHIP (e g parent, subsidiary) OF ALL RELAT	IED ENTITIES		
OR FORMATION					
4. IF AN LLC OR ANY TYPE OF PARTNER	SHIP, FULL NAME AND ADDRI	ESS OF ALL MEMBERS OR PARTNERS			
5. IF A SOLE PROPRIETORSHIP, FULL NA	ME AND ADDRESS OF BRODR	ETOP		_	_
3. If A SOLE PROPRIETORSHIP, PULL IV	LILL AND ADDRESS OF FROFR	LIOK			
6 PRIETI V DESCRIBE THE NATIONE OF	VOLE OPERATIONS (Products h	andled or manufactured, or nature of services performe	d		
0. BRIEFET DESCRIBE THE NATURE OF	TOUR OFERATIONS (Froducts no	matea or manajacturea, or nature of services performe	u).		
7A. PRINCIPAL LOCATION:	7B. BR.	NCH LOCATIONS:			
8. NUMBER OF PEOPLE PRESENTLY EMI	PLOYED				
A. TOTAL:	B AT THE ADDRESS INV	OLVED IN THIS MATTER:			
9. DURING THE MOST RECENT (Check the	appropriate box): [] CALENDAR	R []12 MONTHS or []FISCAL YEAR (FY D	DATES)		
9. DURING THE MOST RECENT (Check the	appropriate box): [] CALENDAR		DATES)	YES	NO
A Did you provide services valued in excess of	\$50,000 directly to customers outside	your State? If no, indicate actual value \$		YES	NO
A Did you provide services valued in excess of B If you answered no to 9A, did you provide ser	\$50,000 directly to customers outside vices valued in excess of \$50,000 to	your State? If no, indicate actual value \$ customers in your State who purchased goods valued in		YES	NO
A Did you provide services valued in excess of B If you answered no to 9A, did you provide ser directly outside your State? If no, indicate the	\$50,000 directly to customers outside vices valued in excess of \$50,000 to value of any such services you provi	e your State? If no, indicate actual value \$ customers in your State who purchased goods valued in ded \$	n excess of \$50,000 from	YES	NO
A Did you provide services valued in excess of B If you answered no to 9A, did you provide set directly outside your State? If no, indicate the C If you answered no to 9A and 9B, did you pro broadcasting stations, commercial buildings, e	\$50,000 directly to customers outside rvices valued in excess of \$50,000 to value of any such services you provi vide services valued in excess of \$50 ducational institutions, or retail conce	eyour State? If no, indicate actual value \$	n excess of \$50,000 from	YES	NO
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Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing representation and/or unfair labor practice proceedings and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary. However, failure to supply the information may cause the NLRB to refuse to process any further a representation or unfair labor practice case, or may cause the NLRB to issue you a subpoena and seek enforcement of the subpoena in federal court.

NATIONAL LABOR RELATIONS BOARD

NOTICE OF APPEARANCE

International Brotherhood of Teamsters Local 492	
and	CASE 28-CB-271524
(b) (6), (b) (7)(C)	CASE 20-OD-271324
REGIONAL DIRECTOR EXECUTIVE SECRETARY NATIONAL LABOR RELATIONS BOARD Washington, DC 20570	GENERAL COUNSEL NATIONAL LABOR RELATIONS BOARD Washington, DC 20570
THE UNDERSIGNED HEREBY ENTERS APPEARANCE AS REPRESENTAT	TIVE OF
IN THE ABOVE-CAPTIONED MATTER.	-
CHECK THE APPROPRIATE BOX(ES) BELOW: REPRESENTATIVE IS AN ATTORNEY IF REPRESENTATIVE IS AN ATTORNEY, IN ORDER TO ENSURE TO CERTAIN DOCUMENTS OR CORRESPONDENCE FROM THE AGENCY IN BOX MUST BE CHECKED. IF THIS BOX IS NOT CHECKED, THE PARTY OF THE PARTY	ADDITION TO THOSE DESCRIBED BELOW, THIS WILL RECEIVE ONLY COPIES OF CERTAIN
(REPRESENTATIVE INFOR	MATION)
NAME: Mark A. Wasserman	
MAILING ADDRESS: Mitchell Silberberg & Knupp LLP, 2049 Cer 90067	ntury Park East, 18th Floor, Los Angeles, CA
E-MAIL ADDRESS: maw@msk.com	
OFFICE TELEPHONE NUMBER: (310) 312-3174	
CELL PHONE NUMBER: (310) 251-1636	_FAX: (310) 231-8374
SIGNATURE: (Please sign in ink.) DATE:	

¹ IF CASE IS PENDING IN WASHINGTON AND NOTICE OF APPEARANCE IS SENT TO THE GENERAL COUNSEL OR THE EXECUTIVE SECRETARY, A COPY SHOULD BE SENT TO THE REGIONAL DIRECTOR OF THE REGION IN WHICH THE CASE WAS FILED SO THAT THOSE RECORDS WILL REFLECT THE APPEARANCE.

Form NLMB - 501 (2-04)

UNITED STATES CEAMERICA METIONAL LABORRELATIONS BOARD CHARGE AGAINST EMPLOYER

DO NOT WRITE IN THIS SPACE 28-CA-275249 April 7, 2021

INSTRUCTIONS:

WIL

File anagonator are charge with M-RB Recip val Director in which the alleged unter above produce occurred or a cerumnic 1. ENFLOYER AGAINST WHOM CHARGE IT STREET OF THE AGAINST WHOM CHARGE ITS ARROUGHT

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RPF Productions LLC		6 Collie
		(604) 319-1442
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REGION 28 2600 North Central Avenue Suite 1400 Phoenix, AZ 85004-3099

Agency Website: www.nlrb.gov Telephone: (602)640-2160 Fax: (602)640-2178 Download NLRB Mobile App

April 7, 2021

RPE Productions LLC 9201 Pan American Fwy NE Albuquerque, NM 87113

Re: RPE Productions, LLC Case 28-CA-275249

Ladies and Gentlemen:

Enclosed is a copy of a charge that has been filed in this case. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

<u>Investigator</u>: This charge is being investigated by Field Examiner Olga L. Bell whose telephone number is (602)416-4758. If this Board agent is not available, you may contact Deputy Regional Attorney David T. Garza whose telephone number is (505)313-7217.

Right to Representation: You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing *Form NLRB-4701*, *Notice of Appearance*. This form is available on our website, www.nlrb.gov, or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

<u>Presentation of Your Evidence</u>: We seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit a complete written account of the facts and a statement of your position with respect to the allegations set forth in the charge as soon as possible. If the Board agent later asks for more evidence, I strongly urge you or your representative to cooperate fully by promptly presenting all evidence relevant to the investigation. In this way, the case can be fully investigated more quickly.

Full and complete cooperation includes providing witnesses to give sworn affidavits to a Board agent, and providing all relevant documentary evidence requested by the Board agent. Sending us your written account of the facts and a statement of your position is not enough to be considered full and complete cooperation. A refusal to fully cooperate during the investigation might cause a case to be litigated unnecessarily.

In addition, either you or your representative must complete the enclosed Commerce Questionnaire to enable us to determine whether the NLRB has jurisdiction over this dispute. If you recently submitted this information in another case, or if you need assistance completing the form, please contact the Board agent.

We will not honor requests to limit our use of position statements or evidence. Specifically, any material you submit may be introduced as evidence at a hearing before an administrative law judge regardless of claims of confidentiality. However, certain evidence produced at a hearing may be protected from public disclosure by demonstrated claims of confidentiality.

Further, the Freedom of Information Act may require that we disclose position statements or evidence in closed cases upon request, unless an exemption applies, such as those protecting confidential financial information or personal privacy interests.

<u>Preservation of all Potential Evidence:</u> Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

<u>Prohibition on Recording Affidavit Interviews:</u> It is the policy of the General Counsel to prohibit affiants from recording the interview conducted by Board agents when subscribing Agency affidavits. Such recordings may impede the Agency's ability to safeguard the confidentiality of the affidavit itself, protect the privacy of the affiant and potentially compromise the integrity of the Region's investigation.

<u>Correspondence</u>: All documents submitted to the Region regarding your case MUST be filed through the Agency's website, <u>www.nlrb.gov</u>. This includes all formal pleadings, briefs, as well as affidavits, documentary evidence, and position statements. The Agency requests all evidence submitted electronically to be in the form it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format).

If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge. If you cannot e-file your documents, you must provide a statement explaining why you do not

have access to the means for filing electronically or why filing electronically would impose an undue burden.

In addition, this Region will be issuing case-related correspondence and documents, including complaints, compliance specifications, dismissal letters, deferral letters, and withdrawal letters, electronically to the email address you provide. Please ensure that you receive important case-related correspondence, please ensure that the Board Agent assigned to your case has your preferred email address. These steps will ensure that you receive correspondence faster and at a significantly lower cost to the taxpayer. If there is some reason you are unable to receive correspondence via email, please contact the agent assigned to your case to discuss the circumstances that prevent you from using email.

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website, www.nlrb.gov or from an NLRB office upon your request. NLRB Form 4541, Investigative Procedures offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

Cornele A. Overstreet Regional Director

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Enclosures:

- 1. Copy of Charge
- 2. Commerce Questionnaire

CAO:OLB:mhz

FORM NLRB-5081 (3-11)	NATIONAL LABOR RELA	ATIONS BOARD			
	IONNAIRE ON COMME	RCE INFORMATION			
Please read carefully, answer all applicable items, and re	eturn to the NLRB Office. If addition	onal space is required, please add a	page and iden	ntify item number.	
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12. AUTHORIZED REPRESENTATIVE COMPLETING THIS QUESTIONNAIRE NAME AND TITLE (Type or Print) SIGNATURE

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PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing representation and/or unfair labor practice proceedings and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary. However, failure to supply the information may cause the NLRB to refuse to process any further a representation or unfair labor practice case, or may cause the NLRB to issue you a subpoena and seek enforcement of the subpoena in federal court.



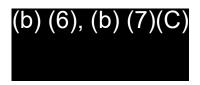
REGION 28 2600 North Central Avenue Suite 1400 Phoenix, AZ 85004-3099

Agency Website: www.nlrb.gov Telephone: (602)640-2160

Fax: (602)640-2178



April 7, 2021



Re: RPE Productions, LLC Case 28-CA-275249

Dear (b) (6), (b) (7)(C):

The charge that you filed in this case on April 07, 2021 has been docketed as case number 28-CA-275249. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

<u>Investigator</u>: This charge is being investigated by Field Examiner Olga L. Bell whose telephone number is (602)416-4758. If this Board agent is not available, you may contact Deputy Regional Attorney David T. Garza whose telephone number is (505)313-7217.

Right to Representation: You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing Form NLRB-4701, Notice of Appearance. This form is available on our website, www.nlrb.gov, or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

<u>Presentation of Your Evidence</u>: As the party who filed the charge in this case, it is your responsibility to meet with the Board agent to provide a sworn affidavit, or provide other witnesses to provide sworn affidavits, and to provide relevant documents within your possession. Because we seek to resolve labor disputes promptly, you should be ready to promptly present your affidavit(s) and other evidence. If you have not yet scheduled a date and time for the Board agent to take your affidavit, please contact the Board agent to schedule the affidavit(s). If you fail to cooperate in promptly presenting your evidence, your charge may be dismissed without investigation.

<u>Preservation of all Potential Evidence:</u> Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

<u>Prohibition on Recording Affidavit Interviews:</u> It is the policy of the General Counsel to prohibit affiants from recording the interview conducted by Board agents when subscribing Agency affidavits. Such recordings may impede the Agency's ability to safeguard the confidentiality of the affidavit itself, protect the privacy of the affiant and potentially compromise the integrity of the Region's investigation.

<u>Correspondence</u>: All documents submitted to the Region regarding your case MUST be filed through the Agency's website, <u>www.nlrb.gov</u>. This includes all formal pleadings, briefs, as well as affidavits, documentary evidence, and position statements. The Agency requests all evidence submitted electronically to be in the form it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format).

If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge. If you cannot e-file your documents, you must provide a statement explaining why you do not have access to the means for filing electronically or why filing electronically would impose an undue burden.

In addition, this Region will be issuing case-related correspondence and documents, including complaints, compliance specifications, dismissal letters, deferral letters, and withdrawal letters, electronically to the email address you provide. Please ensure that you receive important case-related correspondence, please ensure that the Board Agent assigned to your case has your preferred email address. These steps will ensure that you receive correspondence faster and at a significantly lower cost to the taxpayer. If there is some reason you are unable to receive correspondence via email, please contact the agent assigned to your case to discuss the circumstances that prevent you from using email.

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website, www.nlrb.gov or from an NLRB office upon your request. NLRB Form 4541, Investigative Procedures offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

Cornele A. Overstreet Regional Director

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NATIONAL LABOR RELATIONS BOARD

NOTICE OF APPEARANCE

(b) (6), (b) (7)(C) and RPE Productions, LLC	CASE 28-CA-275249
X DECIONAL DIRECTOR	
REGIONAL DIRECTOR EXECUTIVE SECRETARY NATIONAL LABOR RELATIONS BOARD Washington, DC 20570	GENERAL COUNSEL NATIONAL LABOR RELATIONS BOARD Washington, DC 20570
THE UNDERSIGNED HEREBY ENTERS APPEARANCE AS REPRESENTATIVE OF	
RPE Productions, LLC	
CHECK THE APPROPRIATE BOX(ES) BELOW: REPRESENTATIVE IS AN ATTORNEY IF REPRESENTATIVE IS AN ATTORNEY, IN ORDER TO ENSURE THAT THE PARTY MAY RECEIVE COPIES OF CERTAIN DOCUMENTS OR CORRESPONDENCE FROM THE AGENCY IN ADDITION TO THOSE DESCRIBED BELOW, THIS	
BOX MUST BE CHECKED. IF THIS BOX IS NOT CHECKED, THE PARTY WILL RECEIVE ONLY COPIES OF CERTAIN DOCUMENTS SUCH AS CHARGES, PETITIONS AND FORMAL DOCUMENTS AS DESCRIBED IN SEC. 11842.3 OF THE CASEHANDLING MANUAL.	
(REPRESENTATIVE INFORMATION)	
NAME: Mark A. Wasserman	
MAILING ADDRESS: Mitchell Silberberg & Knupp LLP, 2049 Century Park East, 18th Floor, Los Angeles, CA 90067	
E-MAIL ADDRESS: maw@msk.com	
OFFICE TELEPHONE NUMBER: (310) 312-3174	-
CELL PHONE NUMBER: (310) 251-1636	_FAX:_(310) 231-8374
SIGNATURE: (Please sign in ink.) DATE:	

¹ IF CASE IS PENDING IN WASHINGTON AND NOTICE OF APPEARANCE IS SENT TO THE GENERAL COUNSEL OR THE EXECUTIVE SECRETARY, A COPY SHOULD BE SENT TO THE REGIONAL DIRECTOR OF THE REGION IN WHICH THE CASE WAS FILED SO THAT THOSE RECORDS WILL REFLECT THE APPEARANCE.